

DRAFT Meeting Notes
DEQ/EPA/BES Meeting on Stormwater Source Control
April 8, 2010

Attending: Chip Humphrey, Rick Applegate, Kristine Koch, Dave Livesay, Rod Struck, Julia Fowler, Linda Scheffler, Dawn Sanders, Keith Johnson, Jim Anderson, Matt McClincy, Karen Tarnow

Overarching Goal: Ensure we are all on the same page regarding how stormwater source control decisions are being made and how stormwater will be addressed in the ROD.

Meeting Objectives:

- Concur on key elements of the strategy
- Identify critical unresolved issues in the strategy and decide upon next steps for addressing these
- Establish timeline for key accomplishments and deliverables

Notes from the Discussion

Goal of Stormwater Source Control: Brief discussion of “minimal risk of recontamination.” This phrase implies a sense of confidence that source control has been achieved but acknowledges the uncertainty. It’s never a “no risk” situation.

Stormwater in the ROD/DEQ’s “Deliverable”: EPA envisions a “companion document” to the ROD that describes source control efforts (all pathways, not just stormwater). It includes both the strategy/plan for achieving source control and a report on the status of source control efforts. It is a “living document” in that it only reports on the status of source control efforts at a specific point in time, as well as our understanding of the potential for risk/recontamination related to upland sources. The document should include a discussion of the timeline for achieving source control at individual sites and also for implementing remaining elements of the overall strategy (e.g., stormwater permit). The strategy should also acknowledge the potential for the unexpected to happen (e.g., recontamination, unidentified sources) and how the strategy is designed to accommodate these situations.

Rick asked whether the inclusion of the stormwater source control plan in the ROD could trigger the requirement for ESA review. EPA didn’t think so.

Recontamination Potential: Both Karen and Kristine are beginning to look into methods for evaluating recontamination potential. Karen will set up a subgroup meeting within a month or so to develop a more explicit strategy for carrying this work forward. Kristine noted that we will need monitoring to verify the accuracy of the methodology.

Water Column Risk: Kristine noted that EPA does not expect the remedy to resolve all water quality problems in the Harbor. Generally speaking, the responsibility for these would fall to the Water Quality program.

Sufficiency of Source ID: While the general sense is that source ID efforts are expected to be successful in identifying all significant sources, DEQ needs to soften its draft language to indicate the potential to miss the mark due to new information, oversights, misattribution of the source of sediment contamination, etc.

Adequacy/Effectiveness of Stormwater Source Control: There was a general discussion about the need for effectiveness monitoring but no clarity on the path forward. The discussion included the following observations/thoughts:

- Currently, site-specific effectiveness monitoring focuses on demonstrating the effectiveness of source control measures, not on the actual in-river results (i.e., recontamination).
- Should we start doing effectiveness monitoring now, and continue through the cleanup?
- Where are there opportunities to coordinate with other efforts, especially for long term, comprehensive effectiveness monitoring? City's Office of Healthy Rivers?

Public Outreach/Message: There are a few different elements to this:

- We want to have our "message" on source control ready to roll out by the end of the year, i.e., be able to clearly communicate our approach, the status of source control, and the schedule for completing source control relative to the cleanup.
- DEQ would like to preview its draft stormwater source control strategy to the public to "test the message" and solicit feedback on the approach.
- DEQ also expects to involve stakeholders in its deliberations regarding the permitting for Portland Harbor stormwater dischargers.

Next Steps

1. Group needs to evaluate/agree upon timeline for getting source control ducks lined up. We should reconvene, perhaps in a month or so, to discuss overall source control timeline and progress.
2. Karen needs to get back to writing the strategy document, with a goal of a "complete" draft by the end of the year. An annotated outline will be circulated prior to that (summer 2010).
3. DEQ will convene a subgroup to begin to map out our path forward on evaluating recontamination potential.
4. DEQ will continue to work with its WQ program on stormwater permitting issues and will keep EPA/City generally apprised of developments on that front.
5. With regards to effectiveness monitoring, no specific next steps were defined, but a general agreement that this needs further discussion.
6. EPA should continue to let DEQ know when info in the 104(e) responses identifies additional potential sources.
7. DEQ will attend the upcoming LWG meeting regarding information needs for the Feasibility Study regarding the status of source control, and consider how these needs could affect how they present information in the Milestone Report and future source control status reports.
8. DEQ will build public outreach opportunities into schedules for finalizing the stormwater source control strategy and addressing stormwater permitting issues in the Harbor.